



Legislation Text

File #: Ordinance 02-2020, **Version:** 2

Agenda Date: 02/18/2020

Subject:

Ordinance 02-2020: An ordinance on second reading amending multiple sections of the Littleton Municipal Code pertaining to the process for filing a municipal lien on private property

Prepared by: Reid Betzing, City Attorney
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PURPOSE:

To revise Littleton City Code (LCC) to help standardize and create more efficiency in filing liens.

PRESENTATIONS:

Staff Presenter(s): Reid Betzing, City Attorney

Additional Presenter(s): N/A

SUMMARY:

The proposed ordinance and related ordinance changes help standardize and create more efficiency in filing liens against properties when the city performs a service that benefits a property and has not been repaid.

PRIOR ACTIONS OR DISCUSSIONS:

Passed on first reading at the regular city council meeting on January 21, 2020.

ANALYSIS:

Staff Analysis

From time to time, often in code enforcement actions, the city performs or causes to be performed certain clean-ups of property in which the city does not get repaid. Currently, there are multiple provisions within the LCC for the filing of liens. Many of the code sections have differing administrative fee amounts that can be charged, as well as the requirement of obtaining council approval prior to the filing of the lien. The proposed changes allow for consistency, standardization, and efficiency by creating one process for filing liens.

Council Goal, Objective, and/or Guiding Principle

Littleton will remain engaged and civic-minded in all matters affecting the direction and priorities of city government and the community.

City Council Goal 2 - Financial Sustainability.

Fiscal Impacts

No negative fiscal impact.

Alternatives

Council can choose not to adopt the ordinance and remain with the status quo. Two of the risks of remaining with the current process are:

1. A risk of a property being conveyed or sold prior to scheduling council action to approve a lien; and
2. Potential legal challenges to some of the administrative fee amounts as not being designed to offset the costs of the service

but rather as a revenue producer.

STAFF RECOMMENDATION:

Staff is recommending approval for purposes of establishing a unified procedure for the filing of liens and in line with best practices.

PROPOSED MOTION:

I move to approve the ordinance on second reading amending multiple sections of the Littleton Municipal Code pertaining to the process for filing a municipal lien on private property.